

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

**ELIZABETH JONES, as Administrator
of the Estate of Juan Markee Jones,
Deceased**

Plaintiff,

Civil Action No. 4:20-cv-00020

v.

**THE CITY OF DANVILLE,
Officers Christopher S. Simpkins and
David J. Branch, in their
official and individual capacities,**

Defendants.

MOTION TO STRIKE

COME NOW your Defendants, the City of Danville, Officer Christopher S. Simpkins and Officer David J. Branch, by counsel, and, pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, respectfully move this Court to enter an Order striking from the Plaintiff's Complaint any immaterial, impertinent, or scandalous matter.

Accordingly, and for the reasons set forth in the accompanying Brief, the Court's sanctioning of Plaintiff's attorney is appropriate and the Motion to Strike should be granted in favor of the Defendants.

CITY OF DANVILLE

CHRISTOPHER S. SIMPKINS

and

DAVID J. BRANCH

By Counsel

Counsel:

/s/ James A. L. Daniel

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CERTIFICATE OF COUNSEL

I hereby certify that on this 23rd day of June, 2020, I electronically filed the foregoing Motion to Strike with the Clerk of Court using the CM/ECF system which will send notification of such filing to counsel for Plaintiff, Thomas N. Sweeney, Esq., Messa and Associates, P.C., 123 S. 22nd Street, Philadelphia, PA 19103.

/s/ James A. L. Daniel

James A. L. Daniel